

Entered -9-28-00 - sb  
CL 00L0591 - GWENDOLYN BURNS

00-*ℓ*-1740

CLAIM OF: **EDDRIKA RUSSELL and ELIZABETH  
MCGHEE on behalf of their deceased father,  
EDWARD BUTLER, JR.  
through their attorney,  
Nicol J. Hanyard, Esq.  
HANYARD LAW OFFICE, P.C.  
100 Peachtree Street, Suite 2060  
The Equitable Building  
Atlanta, Georgia 30303**

For damages alleged to have been sustained from a wrongful death  
incident on June 16, 2000 at 723 Kennedy Street, SW.

THIS ADVERSED REPORT IS  
APPROVED

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

# HANYARD LAW OFFICE, P.C.

NICOL J. HANYARD  
ATTORNEY AT LAW  
100 PEACHTREE STREET  
SUITE 2060, THE EQUITABLE BLDG.  
ATLANTA, GEORGIA 30303

TELEPHONE (404) 577-3595  
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*BURNS*  
*09/26/00*  
*[Signature]*  
FAMILY LAW

PERSONAL INJURY

September 22, 2000

Via Hand Delivery

& Certified U.S. Mail

Certified Mail No. P 459 838 410

ENTERED - 9-28-00 - SB

00LO591 - GWEN BURNS

Robert L. Pitts  
City Council President  
City Council, City of Atlanta  
55 Trinity Avenue, S.W.  
Suite 2900  
Atlanta, Georgia 30335

Re: Ante Litem Notice  
Wrongful Death Claim

Dear President Pitts:

Please be advised that our office, along with attorneys Craig Jones, Jerry Boykin and Barry Hazen, represent Eddrika Russell and Elizabeth (Jeanna) McGhee, the children of the now, deceased, Edward Butler, Jr..

Edward Butler, Jr. was shot and killed by an Atlanta police officer on March 23, 2000. According to the police report, Atlanta police officer, E. Earls, chased an unarmed Edward Butler, into a residential area. Following the chase, Edward Butler was shot in the back of the head by the officer. The police officer indicates in his report, that he believed Mr. Butler initially had a weapon but dropped it during the chase. However, further investigation reveals that no weapon was ever recovered.

Following the shooting, Edward Butler, Jr. was taken to Grady Hospital for treatment of the gun shoot wound. He died a few days later while still at Grady.

Our investigation reveals that this was an unnecessary and unreasonable shooting. Said shooting constituted unreasonable force and negligence under both Georgia and Federal law.

The acts of the Atlanta Police were wrongful and have caused extensive injury to the surviving children of Edward Butler, Jr..

Robert L. Pitts  
President, Atlanta City Council  
P. 2, 9/22/2000

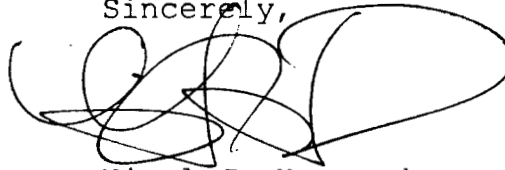
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The injuries and damages sustained by these children were the direct and proximate result of the negligent and wrongful acts and omissions of the Atlanta Police Department and its agents and employees.

Accordingly, this letter will serve as notice to you of claims and a potential lawsuit to be filed on behalf of these children as well as the Estate of Edward Butler, Jr.. The minor children are entitled to recover damages for the wrongful death of their father, Edward Butler, Jr. in the amount of \$1,000,000.00 each. This letter will also serve as notice of any possible claims to be made by the Estate of Edward Butler, Jr. for losses sustained as a result of his death. These parties will pursue all available claims against the City of Atlanta, its Officers and all other necessary parties.

Should you wish to discuss any of these issues, please do not hesitate to contact our office or that of our co-counsel.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be 'Nicol J. Hanyard'.

Nicol J. Hanyard

NJH:n

cc: Craig Jones, Esq.  
Jerry Boykin, Esq.  
Barry Hazen, Esq.

00-R-1740